Gemini IP Technologies, LLC v. Hewlett-Packard Company et al Doc. 5

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GEMINI IP TECHNOLOGIES, LLC,, Plaintiff, vs. HEWLETT PACKARD COMPANY, ET AL., Defendants.	Case No. 5:07-cv-03797-PVT **STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE; [PROPOSED] ORDER**

The plaintiff, Gemini IP Technologies, LLC, and defendant, Hewlett-Packard Co., pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action WITH PREJUDICE, subject to the terms of that certain agreement

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entitled "PATENT LICENSE AND SETTLEMENT AGREEMENT" and dated September 11, 2007, with each party to bear its own costs, expenses and attorneys fees.

Dated: September 25, 2007.

Respectfully submitted,

/s/

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I, Tera M. Heintz, am the ECF User whose ID and password are being used to file this STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE; [PROPOSED] ORDER. In compliance with General Order 45, X.B., I hereby attest that each of the signatories identified above has concurred in this filing.

Dated: September 25, 2007

/s/

Tera M. Heintz

Attorneys for Defendant
HEWLETT-PACKARD COMPANY

[PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal With Prejudice of all claims and counterclaims asserted between plaintiff, Gemini IP Technologies, LLC, and Defendant, Hewlett-Packard Co., in this case, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims and counterclaims asserted in this suit between Plaintiff, Gemini IP Technologies, LLC, and Defendant, Hewlett-Packard Co., are hereby dismissed with prejudice, subject to the terms of that certain agreement entitled "PATENT LICENSE AND SETTLEMENT AGREEMENT" and dated September 11, 2007.

It is further ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.

Dated: 9/26/07

Patricia V. Trumbull
Honorable Patricial V. Trumbull
Magistrate Judge